

1. No dispensary shall purchase marijuana from another dispensary.

A medical marijuana dispensary shall only acquire marijuana, edible marijuana products, or marijuana-infused products from:

- a) A licensed cultivation facility; facility for the production of edible marijuana products or marijuana-infused products; or
- b) a person who holds a valid registry identification card or his or her designated primary caregiver in the manner set forth in subsection 5 of NRS 453A.352.

2. Aggregate ownership

Sec. 24. 1. Except as otherwise required in subsection 2, the requirements of this regulation concerning owners of medical marijuana establishments only apply to a person with more than an aggregate ownership equal to or exceeding 5 percent ownership interest in a medical marijuana establishment.

2. If, in the judgment of the Division, the public interest will be served by requiring any owner with a 5 percent or less ownership interest in a medical marijuana establishment to comply with any provisions of this regulation concerning owners of medical marijuana establishments, that owner must comply with those provisions.

3. If, in the judgment of a local licensing jurisdiction, a person has a significant financial interest, the local government may require additional information, including, but not limited to, a background investigation or financial suitability.

3. Demonstrate proof of all applicable public safety inspections required by local ordinance before an establishment becomes fully licensed to operate by the state.

Sec. 33. 1. The Division may, upon receipt of an application for a medical marijuana establishment registration certificate, conduct an investigation into the premises, facilities, qualifications of personnel, methods of operation, policies and purposes of any person proposing to engage in the operation of a medical marijuana establishment. The facility is subject to inspection and approval as to standards for safety from fire, on behalf of the Division, by the local fire protection agency. If a local fire protection agency is not available, the State Fire Marshal may conduct the inspection after the establishment pays the appropriate fee to the State Fire Marshal for such inspection,

2. The Division shall not issue a medical marijuana establishment registration certificate until the Division completes an inspection of the establishment that may require more than one visit to the establishment.

3. In addition to complying with the provisions of chapter 372A of NRS and chapter 372A of NAC governing the imposition of an excise tax on medical marijuana establishments, a medical marijuana establishment may not operate until it has been issued a medical marijuana establishment registration certificate from the Division.

4. The Division will not issue a medical marijuana establishment registration certificate until it has received a satisfactory report of **full compliance with, and completion of, all public safety** inspections of the establishment from the State Fire Marshal or the applicable ~~fire protection agency~~ **public safety inspections required by a local jurisdiction, including, but not limited to, fire, building, health and air quality.**

4. Change in location within 5 miles must be justified and done with land use approval of local jurisdiction the establishment intends on relocating to.

Sec. 35. 1. A medical marijuana establishment must surrender its medical marijuana registration certificate and reapply for a medical marijuana establishment registration certificate during the annual 10 business day application period during which the Division is accepting applications to operate medical marijuana establishment registration certificates:

(a) Before an additional person gains an ownership interest in the medical marijuana establishment; and

(b) Any time there is a change in the location of the medical marijuana establishment if:

(1) It is a material change that requires the establishment to go through an approval process by a local governmental entity; or

(2) The new location is more than 5 miles from its original approved location.

2. If a medical marijuana establishment is closing, the manager of the establishment must notify the Division of the closing of the establishment at least 15 days before the establishment is closed.

3. Nothing in this section authorizes the transfer of ownership, leasing or subcontracting of a medical marijuana establishment registration certificate. If, after investigation, the Division determines that there is cause to believe that a medical marijuana establishment has made changes pursuant to this section to circumvent the laws preventing the transfer of ownership, leasing or subcontracting of a medical marijuana establishment, the Division shall take action to revoke the medical marijuana establishment registration certificate of that establishment.

4. For changes in location within 5 miles, pursuant to this section, applicant must provide to the Division, prior to relocation:

(a) Justification, in writing, of the need to change locations and

(b) Land use approval for the location change from the local licensing authority, if applicable, for the location to which the business will be relocating.

The request to change locations will be denied if the Division finds that written notice does not provide sufficient justification.

5. The Division will notify agents and local licensing jurisdictions within 48 hours of an agent registration becoming void.

Sec. 46. 1. The Division shall provide written notice to a registered medical marijuana agent, and all applicable local licensing jurisdictions, that his or her agent registration card is void and no longer valid, within 48 hours, when:

(a) The medical marijuana establishment registration certificate listed on the medical marijuana establishment agent registration card of the cardholder is no longer valid; or

(b) The Division receives the written notice required in subsection 3 of NRS 453A.332, or subsection 3 or 4 of section 47 of this regulation that the medical marijuana establishment agent:

(1) No longer serves as an owner, officer or board member;

(2) Is no longer employed by or contracted with the establishment; or

(3) No longer provides volunteer services at the establishment.

2. Written notice provided pursuant to this section is not a revocation and is not considered a final decision of the Division subject to administrative review.

6. The Division will make available to a local government, upon request, all documents submitted to the Division as part of an application for operation of a medical marijuana establishment.

Sec. 136. *1. Except as otherwise provided in this section and NRS 239.0115, the Division and any designee of the Division shall maintain the confidentiality of and shall not disclose the name or any other identifying information of any person who facilitates or delivers services pursuant to chapter 453A of NRS or this chapter. Except as otherwise provided in NRS 239.0115, the name and any other identifying information of any person who facilitates or delivers services pursuant to chapter 453A of NRS or this chapter are confidential, not subject to subpoena or discovery and not subject to inspection by the general public.*

2. Notwithstanding the provisions of subsection 1, the Division or its designee may release the name and other identifying information of a person who facilitates or delivers services pursuant to chapter 453A of NRS or this chapter to:

(a) Authorized employees of the Division or its designee as necessary to perform official duties of the Division; and

(b) Authorized employees of state and local law enforcement agencies, only as necessary to verify that a person is lawfully facilitating or delivering services pursuant to chapter 453A of NRS or this chapter.

3. Nothing in this section prohibits the Division from providing a local government with a copy of an all information and documentation provided as part of the application to operate a medical marijuana establishment, upon request of the local government.

7. A cultivation facility shall ensure that marijuana cannot be observed or smelled from outside of the building.

Sec. 72. *1. Except as otherwise provided in subsection 2, a cultivation facility must ensure that access to the enclosed, locked facility where marijuana is cultivated is limited to the officers, board members and authorized medical marijuana establishment agents of the facility.*

2. Each cultivation facility shall ensure that an authorized medical marijuana establishment agent accompanies any person other than another medical marijuana establishment agent associated with the establishment when the person is present in the enclosed, locked facility where marijuana is cultivated or produced by the cultivation facility.

3. Each cultivation facility shall ensure that any marijuana growing inside a building of the facility cannot be observed, or emit an odor that is detectable, from outside the building.